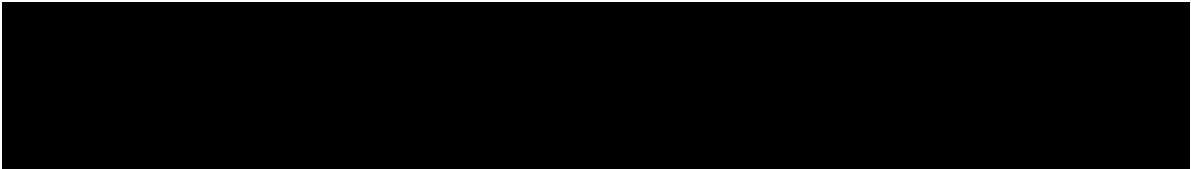


EXHIBIT 9



1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF TEXAS
3 MARSHALL DIVISION

4 NETLIST, INC., (CAUSE NO. 2:22-CV-203-JRG
5 Plaintiff,)
6 vs. ()
7 MICRON TECHNOLOGY, INC., ()
et al.,) MARSHALL, TEXAS
Defendants.) (OCTOBER 23, 2023
) 9:00 A.M.

11 MOTION HEARING

12 BEFORE THE HONORABLE ROY S. PAYNE
13 UNITED STATES MAGISTRATE JUDGE

22 SHAWN McROBERTS, RMR, CRR
23 100 E. HOUSTON STREET
24 MARSHALL, TEXAS 75670
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1 Defendant to be precluded from what?

2 MS. ZHAO: Relying on his testimony offered after
3 fact discovery.

4 THE COURT: You mean being called as a witness at
5 trial?

6 MS. ZHAO: Yes, Your Honor. And also -- so he
7 provide some notes as evidence. Those are facts that did not
8 disclose during the discovery period, so Micron should not be
9 allowed to rely on the notes either.

10 THE COURT: The notes you're saying were not
11 disclosed during discovery?

12 MS. ZHAO: Yes, Your Honor. And those notes
13 actually talk about a third-party document set, and those are
14 in Halbert's opinion what are the dates those documents were
15 published, and those search terms that could be run to
16 identify those documents from JEDEC.

17 THE COURT: Well, the standard rule is that
18 documents that are not disclosed during discovery can't be
19 used thereafter unless there's some motion for leave, so I'll
20 hear from Micron on that.

21 But -- Mr. Rueckheim, do you have plans to use
22 Mr. Halbert as a witness at trial?

23 MR. RUECKHEIM: We do, Your Honor.

24 THE COURT: And has he been deposed?

25 MR. RUECKHEIM: He was deposed, yes. Netlist